

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB119)**

Received: **04/7/99**

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **David Brandemuehl (608) 266-1170**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters: **nilsepe**

Subject: **Criminal Law - law enforcement**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Job performance evaluations

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	olsenje 04/10/99	chanaman 04/12/99	martykr 04/12/99	_____	lrb_docadmin 04/12/99	lrb_docadmin 04/12/99	
	nilsepe 04/23/99	ygeller 04/23/99		_____			
/2			jfrantze 04/26/99	_____	lrb_docadmin 04/26/99	lrb_docadmin 04/26/99	

FE Sent For:

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FE Sent For:

*1/2 4/23 jlg* *to 4/26* *to RM*  
*4/26*  
**<END>**

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/1	olsenje	cmr 1 4/12 1 4/12 jlg	4/12	4/12			

FE Sent For:

<END>

Brandenwehl

AB 119

20273

"In advance" → ie, allow agency to  
use numbers in performance  
evals.



Minnesota Statutes 1998 Display Document 7 of 18

345.55



**Chapter Title:** TRAFFIC REGULATIONS  
**Section:** 169.985

**Text:** 

169.985 Traffic citation **quota**  prohibited.

A law enforcement agency may not order, mandate, require, or suggest to a peace officer a  **quota** for the issuance of traffic citations on a daily, weekly, monthly, quarterly, or yearly basis.

HIST: 1990 c 482 s 3



1ST SECTION of Level 1 printed in FULL format.

MINNESOTA STATUTES 1998

\*\*\* THIS SECTION IS CURRENT THROUGH THE 1998 LEGISLATIVE SESSIONS \*\*\*

Natural Resources  
CHAPTER 84 DEPARTMENT OF NATURAL RESOURCES

Minn. Stat. § 84.0285 (1998)

84.0285 Game and fish citation quotas prohibited

The commissioner of natural resources, or the director of the division of enforcement and field service, may not order, mandate, require, or in any manner suggest, directly or indirectly, to a conservation officer that the conservation officer issue a certain number of game and fish law violations on a daily, weekly, monthly, quarterly, or yearly quota basis, except that the commissioner or director may utilize a conservation officer's total enforcement activity, in comparison to the total enforcement activity of all conservation officers, in the evaluation of an officer's performance.

HISTORY:

1986 c 386 art 4 s 6; 1986 c 474 s 1



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0273/1  
JEO&PEN:.....

Soon! D. Note

emH  
+  
jg

ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 119

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 9: after that line insert:

3 "(3) Subsection (2) does not prohibit a state agency or political subdivision from  
4 comparing the number of citations, complaints or warning notices issued by a law  
5 enforcement officer to the number of citations, complaints or warning notices issued  
6 by all law enforcement officers employed by the state agency or political subdivision  
7 for purposes of evaluating the law enforcement officer's job performance."

text  
treat

8 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0273/1dn  
JEO&PEN:.....

cmj jg

**Representative Brandemuehl:**

The Minnesota statute that prohibits imposing traffic ticket quotas on law enforcement officers does not explicitly address using the number of tickets written in evaluating an officer's job performance. See Minn. Stat. s. 169.985. However, the statute prohibiting ticket quotas for fish and game wardens does address the issue. See Minn. Stat. s. 84.0285. This amendment adapts the language of the latter statute.

Note that the amendment allows use of an officer's ticket numbers only in comparison to the number of tickets written by all other officers in the agency. Is that your intent, or is that too limiting?

Please let us know if you have any questions or changes.

Jefren E. Olsen  
Legislative Attorney  
Phone: (608) 266-8906  
E-mail: Jefren.Olsen@legis.state.wi.us

Paul E. Nilsen  
Legislative Attorney  
Phone: (608) 261-6926

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0273/1dn  
JEO&PEN:cmh&jlg:km

April 12, 1999

Representative Brandemuehl:

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State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0273/t  
JEO&PEN:cmh&jlg:km

SOON

ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 119

2

May, for purposes of evaluating a law enforcement officer's job performance, compare

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 9: after that line insert:

3 "~~(3) Subsection (2) does not prohibit~~ a state agency or political subdivision ~~from~~  
4 ~~comparing~~ the number of citations, complaints or warning notices issued by a law the  
5 enforcement officer to the number of citations, complaints or warning notices issued  
6 by all law enforcement officers employed by the state agency or political subdivision  
7 for purposes of evaluating the law enforcement officer's job performance."

8 (END)

✓  
who have similar job duties and who serve in the same administrative unit as the law enforcement officer